1	2
29. दिल्ली	41.45 रुपए प्रति (1-2-93)
30. दमण व दीव	18.40 रुपए प्रतिदिन से 22.00 रुपए प्रतिदिन (7-2-91)
31. लक्षद्वीप	18.00 रुपए प्रतिदिन (1-9-88)
32. पांडिचेरी	
(i) पांडिचेरी क्षेत्र	14.00 रुपए प्रतिदिन (15-12-89)
(ii) माहे क्षेत्र	12.00 रुपए प्रतिदिन (12-2-87)
(iii) यनम क्षेत्र	11.09 रुपए प्रतिदिन (15-3-88)
(iv) कराइकल	14.00 रुपए प्रतिदिन, वयस्कों के लिए (31-1-90)

केन्द्रीय सरकार

श्रेणी

क 43.89 रुपए प्रतिदिन

ख 38.89 रुपए प्रतिदिन

ग 36.89 रुपए प्रतिदिन

(1-4-1993)

Problems of Inter-State Migrant Labour

761. SHRI VIREN J. SHAH : Will the Minister of LABOUR be pleased to state :

(a) what problems are being faced by the inter-state migrant labour ;

(b) what steps Government have taken so far to mitigate their hardships ;

(c) whether the National Commission on Rural Labour have considered their problems and made any recommendations in this regard ;

(d) if so, what are the details of the recommendations ; and

(e) what steps Government have taken or propose to take on these recommendations?

THE MINISTER OF STATE OF THE MINISTRY OF LABOUR (SHRI P. A. SANGMA) : (a) and (b) The problems of inter-state migrant workers arise out of tenuous relationship with their employers, low wages and difficult working conditions. In order to mitigate their hardships, the Government have enacted the Inter-State Migrant Workmen (Regulation of Employment & Conditions of service) Act, 1979 which contains mandatory provisions for payment of minimum wages, housing, medical facilities, protective clothing etc. The implementation of the Act is with the State Governments and the Central Goverment

have been urging the States to enforce these provisions of the Act strictly.

(c) to (e) The National Commission on Rural Labour have made certain recommendations which have been examined for inclusion in the proposed amendments to the Inter-State Migrant Workmen (Regulation of Employment and Condition of Service) Act, 1979. The recommendations of the National Commission on Rural Labour are given in the enclosed statement.

Statement

ANNEXURE

RECOMMENDATION

On the basis of our analysis we offer two sets of recommendations. On is related to economic policy and nature of development; the second is related to administrative and legal measures. In our view, the plight and problems of migrant labour are closely related to the nature of economic development that India has followed since Independence. They cannot be eased to a significant extent without altering the economic path and strategies for growth and distribution, without this, welfare programmes and administrative and legal measures have limited value

Economic Development :

Essentially, migration is for survival and subsistence as regular employment throughout the year is not available near their homes. Uneven development during colonial and post-independence period is the cause of distress migration. Resources have been allocated generously in certain sectors and areas, while other areas have been neglected. Technology related to irrigation is developed while dry land farming is neglected. Natural resources from forests, hills and rivers are exploited depriving the poor and the tribals of their sources of livelihood. This approach and strategy for development needs to be changed fundamentally. Priority should be given to the development of backward regions, to dry farming techniques and forests. We are convinced that accelerated development of certain poverty striken areas in the country has helped in containing out-migration. It is necessary that areas/pockets which are most backward and from where out migration is sizeable are identified by the State Governments. Special emphasis should be given under the plane for development of such identified areas so that migration of labour from there could be minimised. Priority should be given for development of irrigation facilities which would create employment opportunities. Development of land farming with emphasis on horticulture and allied activities should be encouraged by subsidising drip irrigation, fertiliser, equipment etc. for small and marginal farmers making credit available to them at a low rate of interest alongwith a moratorium on repayment, in view of the gestation period of 5 to 7 years for such activities.

Poverty alleviation programmes have had only limited impact in retucing poverty. Implementation of land reform legislations has been ineffective. They should be implemented vigorously and without further loss of time. The poor should not only be given land but should be given, simultaneously, the necessary infrastructure including agricultural tools, fertilizer, water, credit and know-how. Arrangements should be made for the sale of their produce at remunerative prices. Land reform and agricultural development of the poor should go together as part of the same programme.

Legislative Measures :

The ISMW Act, though a comprehensive Act for the benefit of inter-state migrant labourers, suffers from several limitations. We suggest the following changes :

(i) The definition of migrant workman as given in Sec. 2(1)(e) should be expanded. It should cover all migrant workmen, whether they come on their own, or change contractors after entering the recipient state.

(ii) Section 27 should be amended. Third parties also should be allowed to file complaints.

(iii) A new section should be inserted to the effect that the contractor should be held liable for any breach of the Act, whether committed by him or the sub-contractor. It is for the contractor to take any action he desires against the sub-contractor.

(iv) Though the Act specifies that the principal employer is also responsible if the contractor or sub-contractor violates the Act, in practice the contractor has been generally treated by the court as the principal employer. Consequently the principal employer escapes the liability. There is need to make the liability of the principal employer specific.

(v) The cases related to claims of disabled workmen or heirs/deceased workmen should be transferred to the state from where the migrant workers were recruited, if so desired by the workman or his/her heirs.

(vi) Special courts should be appointed where found necessary to hear disputes concerning migrant and contract labour

(vii) Steps should be taken for effective implementation of the laws, in Public Sector Undertakings employing a large number of workers, a system of bipartite arrangement for over-seeing the implementation of laws should be evolved

Some of the facilities specified in the Act, such as medical treatment, cost of hospitalization of the worker, supply of clothing, should be provided to all workers, migrants as well as local.

The proposed Bill "The Building and other Construction Workers (Regulation of Employment and Condition of Service) Bill 1988" when finally passed by the Parliament would cater to the improvement in the working and living conditions of construction workers.

We have in our interim report recommended enactment of a Central Legislation for agricultural workers which would safeguard the interest of intrastate migrant workers in agricultural sector.

Scheme for workers of poor Families

762. SHRI VIREN J. SHAH : Will the Minister of LABOUR be pleased to state :

(a) whether Government have introduced any Scheme for workers of poor families not covered under any insurance scheme or any law/statute ;

(b) if so, what are the details of the scheme and the scope of its benefits ; and

(c) what is the number of persons covered under the scheme, State-wise since its introduction and payments made to the affected persons during each of the last three years ?

THE MINISTER OF STATE OF THE MINISTRY OF LABOUR (SHRI P. A. SANGMA) : (a) to (c) The information is being collected and will be laid on the Table of the House.

Rehabilitation of bonded Labourers

763. SHRI VIREN J. SHAH : Will the Minister of LABOUR be pleased to state :

(a) what is the number of bonded labourers rehabilitated, State-wise, during the last three years ;

(b) what is the manner in which Government propose to rehabilitate the remaining persons ; and

(c) the amount expenditure incurred in freeing the bonded labour and on their rehabilitation, State-wise, during each of the last three years ?

THE MINISTER OF STATE OF THE MINISTRY OF LABOUR (SHRI P. A.